United Nations CEDAW/C/BHR/Q/3/Add.1

Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
7 November 2013
English
Original: Arabic

Committee on the Elimination of Discrimination against Women
Fifty-seventh session

List of issues and questions in relation to the third periodic report of Bahrain

Addendum

Replies of Bahrain*

* The present document is being issued without formal editing.

13-55324 (E) 291113 201213

Please recycle

General context

Question 1. "The State party has been experiencing a dramatic deterioration of the general human rights situation since 2011, which has also had an impact on the rights of women. Please provide information on measures taken to enforce the rule of law, in particular for the implementation of the recommendations of the Bahrain Independent Commission of Inquiry. How does the State party plan to improve the capacity of law enforcement authorities and judicial institutions, at all levels, in order to ensure the protection of women and girls and the enjoyment of their rights?"

The Kingdom of Bahrain acts to maintain and protect human rights and guarantee that citizens and residents enjoy their rights as stipulated in the National Action Charter, the Constitution and relevant national legislation. In this regard, the Government is making strenuous, ongoing efforts to remedy the negative effects of the events of 2011, whereby:

1. It issued Royal Order No. 28 of 2011 Establishing an Independent Commission of Inquiry (annex No. 1) to investigate the events which occurred in Bahrain in February and March 2011 and to formulate the necessary recommendations to remedy the negative effects of those events.

2. It subsequently issued Royal Order No. 45 of 2011 Establishing the National Committee for Monitoring Implementation of the Recommendations of the Bahrain Independent Commission of Inquiry (BICI) Report.

3. It then issued Royal Order No. 28 of 2011 (annex No. 3) to form a commission – whose members include the Secretary-General of the Supreme Council for Women – to ensure protection of the rights of Bahraini women in the implementation of all relevant recommendations.

The Government, desiring to ensure the ongoing implementation of BICA recommendations, assigned the Ministry of Justice to form an agency to monitor implementation of the recommendations until implementation is completed. We note the following concerning Bahrain's efforts to ensure the rule of law and respect for human rights:

1. Decree Law No. 144 of 2012 (annex No. 4) was issued to amend several provisions of the Judicial Authority Law to ensure the full financial and administrative independence of the judiciary, thereby affirming the entrenchment of the Bahraini judiciary's independence.

2. Desiring to support the capacities of the law enforcement authorities, the Ministry of Justice, Islamic Affairs and Endowments and the Supreme Judicial Council are especially concerned with training all members of the judicial authority, including female judges and female public prosecutors, based on the best international criminal justice and human rights standards. In this connection, the Ministry of Justice has signed memoranda of understanding on judicial and legal training with a number of prestigious international organizations. A number of training courses were held outside Bahrain for more than two thirds of the members of the judiciary, including women working in this field. The second phase of an intensive training programme – conducted in collaboration with the International Institute of Higher Studies in Criminal Science in Siracusa, Italy – is currently ongoing.

3. To round out training, the Judicial and Legal Studies Institute, which is under the Ministry of Justice and Islamic Affairs, holds general and specialized training courses in Bahrain for all law enforcement personnel. Thus, all personnel working in this field – including judges, members of the Public Prosecutor's Office, attorneys, members of the military judiciary, and all employees of judicial agencies – receive ongoing training in various fields, including protection of women's rights and promotion of international conventions, including conventions concerned with protecting women from discrimination.

4. In addition to the General Secretariat for Grievances in the Ministry of Interior, an independent national mechanism, namely, the Prisoner and Detainees Rights Commission, has been established to monitor prisons, detention centres and detainees. The Commission's members include judicial figures, the National Institute for Human Rights, and civil society organizations.

Constitutional and legislative framework

Question 2. "Please indicate whether the State party is taking steps to adopt legislation prohibiting discrimination against women, in accordance with article 1 of the Convention on the Elimination of All Forms of Discrimination against Women (see CEDAW/C/BHR/CO/2, para. 13)."

- The National Action Charter and Bahraini Constitution stipulate gender inequality and prohibit discrimination. This is reflected in the many national laws that prohibit and punish discrimination against women in all fields and guarantee the right to recourse to the judiciary in cases of discrimination. For example, Decree Law No. 14 of 2002 on the Exercise of Political Rights, article 1, stipulates that "citizens, both men and women, shall enjoy the exercise of the following political rights:

  1. Expression of an opinion in any referendum conducted according to the provisions of the Constitution.

  2. Election of the members of the Council of Representatives.

- According to the Constitution, article 37, the Convention is equivalent to a national law as soon as it is joined or ratified and published in the Official Gazette. Hence, the definition of discrimination appearing in article 1 of the Convention is considered a part of national law, and the courts are guided by it in their examination of cases relating to it.

- Bahrain's Constitution, article 5 (b), stipulates: "The State guarantees reconciling the duties of women towards the family with their work in society, and their equality with men in political, social, cultural, and economic life without violating the provisions of sharia law".

- Bahrain's Constitution, article 18, stipulates: "People are equal in human dignity, and citizens are equal before the law in public rights and duties. There shall be no discrimination among them on the basis of sex, origin, language, religion, or creed."

Question 3. "Please clarify whether the draft law on civil associations and organizations currently before Parliament complies with the constitutional right to establish civil society organizations and with international standards

on freedom of association. Please indicate whether civil society organizations were consulted throughout the process of drafting the draft law (A/HRC/21/6/Add.1/Rev.1, para. 21) and please provide information on the mechanisms to ensure the participation of non-governmental women rights' organizations."

- The draft law on civil associations and organizations complies with the constitutional provision regarding the establishment of civil society organizations as stipulated in article 27 of the Constitution, which guarantees freedom to form civil associations and unions according to the requirements specified by the law. The draft law also complies with international standards on freedom of association. In this regard, we note, by way of example, article 22 of the International Covenant on Civil and Political Rights, to which Bahrain is a party.

- The Government prepared the aforesaid draft law with the objective of supporting and developing the activity of civil organizations and institutions. Civil society organizations were involved in the formulation of the provisions of the draft law and were consulted regarding its content. The draft law represents a model for the development and independence of social and volunteer activity. It was posted on the Internet site of the concerned ministry, the Ministry of Social Development. Many workshops were held with the participation of numerous civil organizations, whose remarks were taken into account (annex No. 5).

- The participation of non-governmental women rights' organizations has been ensured in multiple ways. For example, the Supreme Council for Women and the Bahraini Women's Union concluded a memorandum of understanding that provides a framework for the implementation of many women empowerment programmes and projects that are in the purview and interest of both parties. The most recent project was the holding last October of the Second National Conference for Bahraini Woman, entitled "The Integration of Women's Needs in Development: Stance, Review and Evaluation".

Reservations

Question 4. "Please provide updated information on the study into the possibility of amending the reservation to article 2 of the Convention (para. 81; CEDAW/C/BHR/CO/2, para. 17). Please clarify the scope of the State party's reservation to all provisions of the Convention that are not in accordance with sharia law, as well as the legislation in force in the State party, describing their impact on the practical realization of the principle of equality between women and men, as required under article 2 of the Convention. During the universal periodic review, the State party committed itself to taking measures aimed at the withdrawal of the reservations to article 2; article 9, paragraph 2; article 15, paragraph 4; and article 16 (para. 71). Please describe progress made in this regard."

Bahrain's reservations to articles that are not in accordance with sharia law do not affect the substance of the principle of equality provided in the Convention. These reservations are limited primarily to issues affecting personal status and the family. In no case do they adversely affect equality between men and women before the law.

The Bahraini Government, in consultation with the Supreme Council for Women, is examining the preparation of a draft law designed to:

- Withdraw the reservation to article 15, paragraph 4 of the Convention;
- Affirm Bahrain's commitment to the implementation of articles 2 and 16 of the Convention without prejudice to the provisions of sharia law;
- The Council of Representatives is currently examining a bill to grant Bahraini nationality to the children of a Bahraini woman married to a foreigner. Therefore, the withdrawal of the reservation to article 9, paragraph 2, of the Convention, which provides for granting women equal rights with men in respect to the nationality of their children, will be maintained until the necessary legislative and constitutional measures for passage of the draft are completed. Important legislation promulgated to support the children of Bahraini women married to foreigners includes Law No. 35 of 2009, which treats the children of a Bahraini woman married to a foreigner on a par with Bahraini citizens by exempting them from certain fees established for Government, health and educational services and residency;
- Bahrain has a reservation to article 29, paragraph 1, because it infringes on the State's sovereignty. Bahrain's reservation to this article is shared by a number of other Arab countries (Kuwait, Oman, the Kingdom of Saudi Arabia, the United Arab Emirates, Qatar, Iraq, Morocco, Tunisia, Lebanon, Syria, Egypt and Yemen).

In this regard, the Council of Ministers, in its session of 27 October 2013, examined the recommendations submitted by the Supreme Council for Women to review the wording of Bahrain's reservations to the Convention and the withdrawal of those reservations. For this purpose, the Council examined a draft law that amends several provisions of Decree Law No. 5 2002 to approve ascension to the Convention and adds a new article affirming Bahrain's commitment to the implementation of articles 2 and 16 of the Convention without prejudice to sharia law. The Council of Ministers decided to refer the draft law to the Ministerial Committee for Legal Affairs. The review of the wording of Bahrain's reservations to the Convention and the withdrawal of those reservations is intended to be in line with the National Dialogue Visions concerning women.

Legal complaint mechanisms

Question 5. "Please provide information on the number of complaints submitted by women to the National Institution for Human Rights in the past five years, the types of alleged violations and the outcomes of the complaints (para. 39). Please also provide detailed information on the measures taken to ensure the independence of the Institution, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), its mandate in relation to women's rights and its human and financial resources."

The National Institution for Human Rights (NIHR) was established under Royal Order No. 46 of 2009, amended by Royal Order No. 46 of 2014, to strengthen, develop and protect human rights. The NIHR was reformed under Royal Order No. 7 of 2013. It has nine members, including five men and four women pursuant to the

royal order forming it (annex No. 6), which stipulates that women are to be represented proportionately in the NIHR.

A permanent committee was established under resolution No. 7 of 2013 of the NIHR Council of Commissioners. The name of this committee – according to article 29 of the Implementing Regulation concerning the Organization and Activity of the NIHR – is the "Complaints, Observation and Monitoring Committee". The committee has a mandate to receive complaints and grievances from citizens, residents and organizations through various means. It studies, compiles and classifies the complaints. It investigates and documents complaints and determines the best channels for dealing with them. After investigating a complaint, it refers the complaint to the competent agencies and monitors, through the heads of these agencies, the measures taken by the agencies concerning the complaint. It assists these agencies in respect of complaints and in settling them with the concerned entities in coordination with the Complaints Unit in the General Secretariat. It conducts field visits to detention sites and submits, to the Council of Commissioners, an annual report on the number of complaints received and measures taken regarding the complaints.

The Supreme Council for Women was informed in a communication with the NIHR that a total of 21 complaints had been filed by women with the NIHR from 2011 until the final third of 2013, as follows: six complaints concerning nationality, five complaints concerning employment, two complaints concerning violence, two complaints concerning housing, and six other complaints concerning issues ranging from financial matters to personal disputes.

Information on measures taken to ensure NIHR independence may be obtained from its website at www.nihr.org.bh.

Access to justice

Question 6. "In the report it is mentioned that women enjoy the same treatment as men before the courts and have the right to bring actions and petitions in their own name (para. 146). Please provide information on measures in place to ensure women's effective access to justice in the State party and to guarantee that women have access to legal aid services, including in places of detention. Please also indicate measures taken to ensure that the testimony of a woman carries equal weight as that of a man in proceedings before courts applying sharia law, where currently the testimony of one man is equal to that of two women. Please provide information about measures taken by the State party to ensure the participation of women judges in applying sharia law."

Women in Bahrain face no obstacles or impediments regarding access to justice. No complaints have been recorded in this regard domestically or internationally. Bahrain's Constitution, article 20, paragraph f, guarantees everyone, without discrimination, the right to litigate and have recourse to the judiciary. In affirmation thereof, under the Constitution and relevant laws in effect – particularly the Civil and Commercial Procedures Code as amended, which regulates litigation proceedings, particularly section 2, which concerns the bringing of an action – women and men enjoy equal rights before the law without any discrimination. A woman may litigate and bring an action in her own name without restriction or bar.

- Legal assistance is provided through the Legal Assistance Committee to needy women to ensure their right to litigate. The Committee was formed under the Legal Practice Act promulgated by Legislative Decree No. 26 of 1980. The act guarantees women the right to the presence of a defence attorney in felonies. If a woman is unable to obtain an attorney, one is appointed at the State's expense.

- The testimony of a woman carries probative weight equal to that of a man in proceedings before courts that apply sharia law. A woman's testimony before the judiciary to substantiate any fact is admitted and is equal to the testimony of a man inasmuch as the Family Law (Part 1) Promulgated by Legislative Decree No. 19 of 2009, article 144, stipulates the following:

  "a. The probative testimony of women regarding marriage, divorce, damages, custody and other matters stated by women in general shall be admissible;

  "b. The testimony of a relative and any person with a connection to the testimony shall be admissible when the relative or person is competent to testify;

  "c. Testimony of knowledge of evidence for proving damages shall be considered."

- Key measures taken by the State to ensure the participation of female judges in applying the law, including Family Law, include a resolution issued by the Supreme Judicial Council to appoint female judges to the courts of execution. Also, Royal Order No. 45 of 2013 was issued to appoint Judge Fatimah Faysal Hubayl to serve as the first woman member of the Supreme Judicial Council.

National machinery for the advancement of women

Question 7. "Please clarify the role and functions of the Supreme Council for Women, which is the body responsible for monitoring the implementation of the Convention, including its composition and hierarchy within the State structure. Please also indicate the structure of the Supreme Council for Women since the restructuring of the General Secretariat (para. 56), the role and position of the unit within the Council dealing with the Convention and its relationship with the Bahrain Women's Union."

The Supreme Council for Women is an official, independent national institution established under Emiri Order No. 44 of 2001. The council is a legal entity that serves as the authority on women's affairs for all official agencies. Its purviews include: providing opinions on and deciding matters related directly and indirectly to the position of women; recommending general policy for developing women's affairs in society's constitutional and civil institutions; empowering women to perform their role in public life; integrating women's efforts in comprehensive development programmes without discrimination; formulating a draft national plan for the advancement of women and the resolution of the problems they face in all fields; and implementing the substance of the Convention by integrating women's needs and implementing awareness-raising and training programmes for various age groups.

The Supreme Council for Women acts to incorporate the spirit and content of the Convention in the objectives and tasks of the equal opportunity units in all entities.

It leads a national project to achieve equal opportunity and to integrate women's needs in the development process in State and private sector activity through the work of the Department for the Integration of Women's Needs as part of the National Plan to Implement the Strategy for the Advancement of Bahraini Women.

The Supreme Council for Women has a partnership relationship with the Bahraini Women's Union under a memorandum of understanding signed on 30 August 2007. Under this partnership, many programmes and activities are implemented to raise awareness about the Convention and to provide training in this area; in addition, the Bahraini Women's Union is invited to study and make remarks on the third periodic national report concerning the Convention.

Question 8. "Please provide information on the equal opportunity units mentioned in the report (para. 51) and whether these units exist in all ministries. Please provide information on any assessment of their performance and on the existence of any available mechanism to ensure the coordination and evaluation of their work. Also indicate progress made regarding the national committee to monitor implementation of the national model on how to incorporate women's needs into the Government action programme (para. 51)."

Eighteen equal opportunity units have been established in various governmental ministries, official institutions and the private sector. Parliament has established an equal opportunity unit in the Council of Representatives and in the Shura Council. It is working to support the activity of the equal opportunity units by building the capacities of unit workers and participating in planning, monitoring and evaluating activity. Equal opportunity units promote the National Model for Integrating Women's Needs in Development and in the activity areas of the concerned ministries and institutions. The units also act to actualize the principle of equal employment opportunity. Units have been established in the following ministries and Government institutions as of October 2013: Ministry of Social Development, Shura Council, Ministry of Foreign Affairs, General Organization for Youth and Sports, Ministry of Labour – Information Affairs Authority, Ministry of Municipalities Affairs and Urban Planning, Ministry of Works, Ministry of Housing, Ministry of Culture, National Oil and Gas Authority, Ministry of Health, Ministry of Finance, Economic Development Board, Council of Representatives, Ministry of Industry and Trade, Ministry of Transportation and Ministry of Education.

In September 2013, the Civil Service Council approved the establishment of equal opportunity committees in government bodies. The committees have a mandate to establish regulations and criteria and consult to ensure women's needs are integrated into government agencies' policies and budgets. The committees also evaluate and analyse employment opportunities for women.

Evaluation of the units is based on periodic reports submitted to the National Committee. The reports cover indicators that measure the units' accomplishments in the activity areas specified in their operating plans. These indicators include:

- Classification of employees and jobs, and the percentage of the participation of women and men in various positions;
- Participation in training and education programmes;
- Participation in awareness-raising and cultural programmes;

- The degree to which equal opportunity and the integration of women's needs are reflected in strategies;
- A number of indicators relevant to the decisions of the ministries and the ministries' services and development programmes.

In addition to the reports, coordination and consultation meetings are held with the equal opportunity units to ascertain the latest developments in their work and to consult on the enhancement of their activity.

Temporary special measures

Question 9. "Please provide information on any temporary special measures adopted by the State party to accelerate de facto equality between women and men in all areas covered by the Convention. Please also provide information on monitoring and evaluation of such measures, including specific quotas for women in Parliament and in political life (CEDAW/C/BHR/CO/2, para. 21)."

The National Plan to Implement the Strategy for the Advancement of Bahraini Women (2013-2022) provides a national model for integrating women's needs in development. It is among the key measures adopted to identify gaps between men and women in Bahraini society. The plan sets forth a methodology for achieving sustainable equal opportunity and integration of women's needs in development to enable Bahrain to eliminate or mitigate gaps in this regard.

For example, Bahrain has adopted several temporary measures to ensure the implementation of article 4, paragraph 1, of the Convention. These include a royal order granting Bahraini nationality to the children of a Bahraini woman married to a foreigner and Law No. 35 of 2009, which treats the children of a Bahraini woman married to a foreigner on a par with Bahraini citizens by exempting them from payment of certain fees established for Government, health and educational services and residency.

Regarding quotas for women in Parliament and in political life, the Bahraini Constitution, article 18, guarantees full equality among citizens before the law in public rights and duties and prohibits discrimination among them on the basis of sex, origin, language, religion or creed. Accordingly, under the Bahraini Constitution, it is not permitted to enact legislation that would set quotas for women in Parliament and in political life. Thus, women enjoy all political rights enjoyed by men under laws concerning parliamentary and municipal elections.

However, the Kingdom of Bahrain, desiring to further empower women in public life, has appointed: 11 females to serve as members in the 40-member Shura Council; seven women to all employment grades in the Public Prosecutor's Office, from appeal court judge to deputy prosecutor; six female judges; four female ministers; five deputy ministers and the equivalent; eight assistant deputy ministers and the equivalent; and three ambassadors. Also, for the first time, a woman, Judge Fatimah Faysal Hubail, who is a member of the Greater Civil Court, was appointed to the Supreme Judicial Council under Royal Order No. 45 of 2013. In addition, the Bahraini Government, desiring to strengthen the role of women in the legal field, formed the National Human Rights Institute under Royal Order No. 7 of 2013. Article 1 of the decree forming the Institute stipulates proportional representation of women in the composition of the institute, whose nine members include four women.

Stereotypes

Question 10. "Please provide information on the impact of the various measures carried out by the State party to modify the widely accepted stereotypical roles and responsibilities of women and men in the family and society in general (para. 92 et seq.). Please also provide information on concrete measures taken to modify stereotyped images of women in the media and in teaching curricula and material, all of which limit the role of women in the public sphere (CRC/C/BHR/CO/2-3, para. 61)."

Key national measures to modify stereotypes of women and support the participation and advancement of women include the adoption of a National Model Integrating Women's Needs in Development in 2010. Since that time, the Supreme Council for Women has promoted mechanisms for partnerships with legislative and executive authorities and civil society organizations to strengthen the position of women and to apply the national model through the following:

- Establishment of equal opportunity units in government ministries and agencies with a view towards integrating women's needs in these workplaces to thereby affirm and support women's development role and change the stereotype of women's contribution to the family and society;
- Efforts to integrate women's needs in all policies, strategies, plans, budgets and programmes of ministries and agencies;
- Application of the principle of equal opportunity among ministerial employees in respect to hiring, training, promotion, and mission opportunities; and assurance of the consideration of the needs of women who work in ministries;
- Awareness-raising and education concerning the integration of women's needs in development and equal opportunity;
- Training and capacity-building in the area of integrating women's needs and equal opportunity;
- Monitoring conditions and provision of gender statistics on employees and users of the services of ministries and agencies;
- Action to disseminate these concepts among workers in women's organizations and civil society organizations, and the preparation of experts to be responsible for disseminating these concepts at the national level;
- Ministry of Information Affairs' approval and implementation of the Five-Year Strategic Information Plan (2013-2018). The Plan presents clear policies and covers a number of programmes and initiatives to highlight the role and position of women in radio and television programmes. It also provides for: the establishment of a television channel that focuses on women's issues, the creation of new radio and television programmes, and the development of the information infrastructure and institutional structure;
- Many training projects and initiatives have been implemented to empower women in the information and communications sector and to qualify women to enter the labour market. The post of Minister of Information Affairs is held by a woman;
- The High Authority for Information and Communication was established under Decree No. 47 of 2013 (annex No. 7) issued on 30 June 2013 as an

independent authority. The Authority is in charge of preparing the draft national information and communication plan. It supervises and controls media content and advertisements to ensure that all media comply with international conventions and the Authority's rules on strengthening the role of women in society and on protecting children's rights;

- Implementation of a memorandum of understanding between the Supreme Council for Women and the Media Affairs Authority to spread the culture of integrating women's needs in development programmes and continued efforts to increase the presence of women in decision-making posts in media organizations;
- Intensification of radio and television programmes concerned with women's issues; the broadcasting of infomercials; and establishment of a specialized unit concerned with issues relating to women, the family and children on television and radio programmes.

The image of women in school curricula, schoolbooks, and activity guides and manuals is diverse. Women are shown in public life, political activity, volunteer work, and professional activity in health, education, banking, commerce, and investment at various employment grades, including chief, director, judge, minister and representative. The role of women in Islamic history is also highlighted through illuminating, positive examples.

Curricula and books concerning various study subjects and fields re-examine stereotypical roles and show images of family cooperation. They also show images of girls that highlight their rights and duties in line with international rights standards on the distribution of roles. Female students are shown working diligently and competing in all fields of science and knowledge.

The Ministry of Education has introduced new subjects such as civil society to females and males to encourage volunteer work and preparation for professional life based on qualifications and free choice that is devoid of stereotypes about occupations. All family education subject are taught to both sexes to enable all students to acquire practical and family life skills that are reciprocal and equal. Vocational technical education is no longer exclusively for males. It is available to both male and female students in commercial education. Vocational tracks and apprenticeships have been unified, and there are simulation rooms in all schools.

Bahrain's Constitution, National Action Charter and Education Law all agree that the citizenship curriculum is the optimal area for entrenching a culture of citizenship and human rights. This curriculum includes the culture of coexistence, the democratic culture, the rule of law and equal opportunity. It accords a special place to familiarization with the Convention and combating stereotypes.

In a related development, the Supreme Council for Women has undertaken to implement programmes and projects designed to empower women economically to establish and manage small and medium enterprises in a number of non-traditional professions, including simultaneous interpretation, information and communication, training of the visually disabled to use computers, and a transportation project for women, to help eliminate stereotypes about women's roles.

Violence against women

Question 11. "Please provide information on measures taken to enact legislation that criminalizes violence against women, in particular marital rape. Please also indicate steps taken to repeal article 353 of the Penal Code, which exempts perpetrators of rape from prosecution and punishment if they marry their victims (para. 138; CEDAW/C/BHR/CO/2, para. 25). Please provide updated information about the status of the draft domestic violence law (para. 138). Please clarify whether services from the family guidance and reconciliation section mentioned in the report are mandatory in domestic violence cases (para. 152) and whether their use would result in perpetrators not being prosecuted. Please provide information on measures taken to address the cultural and traditional attitudes preventing women from reporting cases of violence and to ensure that women and girls who are victims of violence, including domestic violence, have access to effective remedies and protection. Please indicate steps taken to systematically collect data on violence against women and girls."

The Government has referred to the legislature a draft law to combat domestic violence. The draft defines violence and its forms and manners, prohibits various forms of violence, provides mechanisms for reporting and receiving complaints, and establishes protection and follow-up rehabilitation and care.

The family guidance offices play a positive role in gaining access to victims of violence to offer them guidance and protection. Workshops and meetings are held periodically with families at the social centres. The provision of family guidance services does not preclude the initiation of legal proceedings and the prosecution of perpetrators of offences under the Penal Code.

A "Right to Health Committee" was formed under Decree No. 22 of 2012. The Committee is concerned with cases of violence against women and domestic violence in general. It is supervised by Primary Health Care, Secondary Health Care and the Social Work Division. There is also a manual of procedures that is followed to treat domestic violence cases. The Committee monitors cases through social workers located in the health centres.

Regarding data on violence against women and girls, cases of violence are monitored by health centres under the Ministry of Health, Dar al-Iman shelter, the Child Protection Centre under the Ministry of Social Development, police stations under the Ministry of Interior, and the Public Prosecutor's Office. A joint database is currently being established by electronically linking relevant agencies, as was done between the Child Protection Centre and the Ministry of Interior.

Article 353 of the Penal Code realizes an important social benefit for women in a society such as Bahraini society. The goal of this provision is to spare women rape victims greater harm and to protect the interests of women who wish to accept marriage to the perpetrator. In such a case, the woman's personal interest takes precedence over the public interest in punishing the perpetrator. A woman's acceptance of marriage to a perpetrator may take place solely with her consent and may not imposed upon her, as stipulated in the Family Law Promulgated by Legislative Decree No. 19 of 2009, article 23, paragraph (b), which requires a woman's consent for the conclusion of a marriage contract.

The Board of Grievances receives female victims of domestic violence and other complainants. It provides services, including remedies and protection. Legal remedies include legal assistance, which is provided by the Women's Support Centre of the Supreme Council for Women and the Ministry of Justice and Islamic Affairs. The legislature enacted these measures to benefit women whose material situation does not permit them to pay court fees and expenses. These measures enable women to bring actions and conduct the necessary investigations until a judgement is rendered. Under the Legal Practice Act, article 39, legal assistance includes the appointment of a defence attorney for defendants unable to provide their own attorneys. During 2010, 2011 and 2012, 450, 341 and 213 attorneys were appointed respectively.

Question 12. "Please provide information on measures taken to implement the recommendations of the Bahrain Independent Commission of Inquiry by the Ombudsman. Please indicate whether the State party has undertaken any investigation or prosecution in connection with the use of sexual violence as a tool of torture following the events of February and March 2011. Please indicate whether the State party envisages authorizing the visit of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment to its territory. Please explain the role of the Ombudsman and of the Special Investigation Unit under the Ministry of Justice in investigating allegations of excessive use of force, ill-treatment and torture in detention centres and prisons, in particular against women by police officers."

In conformance with the recommendations of the Bahraini Independent Commission of Inquiry, a Special Investigation Unit was established to conduct an investigation into the events that occurred in 2011 according to international standards, particularly the Istanbul Protocol on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The unit is responsible for determining the criminal liability of Government officials, including senior officials, who have been charged with committing violations of the law based on the principle of the leadership's accountability. Where grounds are found for another type of accountability, the case is referred to the concerned government directorate or authority for the adoption of disciplinary or other legal measures within the authority of the concerned directorate or authority.

It should be stressed that the report of the Bahrain Independent Commission of Inquiry contains no indication or evidence of the occurrence of sexual violence. The forensic medical examination conducted by the team of international experts found no occurrence of sexual violence. Hence, in this regard, there are only unreliable social media reports unsubstantiated by evidence. Nonetheless, the unit investigated some of these allegations and found no evidence of sexual violence according to the law.

The ombudsman in the Ministry of Interior has received no official complaints from women or girls of the occurrence of sexual violence in any of the detention centres or prisons.

Regarding the visit to Bahrain by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, in the context of ongoing cooperation with international organizations and bodies, it emerges that consultations were held with the Special Rapporteur to agree on the framework, details and timing of the visit. The Kingdom of Bahrain invited the Special

Rapporteur. However, the visit was delayed based on the Special Rapporteur's request stemming from personal circumstances. The visit was delayed a second time based on the request of the Bahraini Government to avoid any adverse effect on the course of the ongoing national dialogue, and the Special Rapporteur was so notified.

Trafficking and exploitation of prostitution

Question 13. "Please provide detailed information about the mechanisms in place for monitoring and coordinating the implementation of Legislative Decree No. 1 (2008), on combating human trafficking (para. 98). Please provide information on the protection and rehabilitation services available to women and girls who are victims of trafficking. Please indicate what measures have been taken to collect and analyse data on trafficking in women and to investigate and prosecute human trafficking offences (CEDAW/C/BHR/CO/2, para. 27). What are the mechanisms to prevent trafficking in women and girls and, especially, groups of women in a vulnerable situation such as women migrant workers, and to identify victims of trafficking at an early stage? Please indicate what legal alternatives are available to foreigners who are victims of human trafficking, other than their removal from Bahraini territory."

Under Legislative Decree No. 1 of 2008 on Combating Human Trafficking, Bahrain has made efforts to achieve the highest level in combating the offence of human trafficking. It has established a number of national mechanisms to combat human trafficking, including: the National Committee to Combat Human Trafficking, which comprises government agencies and civil society organizations concerned with combating human trafficking; the Committee to Follow up on Foreign Victims of Trafficking, which comprises government agencies concerned with providing medical and psychological care and assistance to foreign victims of trafficking, including a hotline service and a psychological support service which have been inaugurated and the provision of shelters for victims of human trafficking; the Labour Market Regulatory Authority's inauguration of a page on its website stating foreign workers' rights in a number of languages; the broadcasting by the Bahrain News Agency and Bahrain Television News Centre of programmes and news on this topic in a number of languages; and the Ministry of Labour's boosting of the number of inspectors based on Bahrain's desire to protect the rights of foreign workers. The Ministry of Interior receives reports, collects information, conducts the necessary investigations and refers them to the Public Prosecutor's Office. The Ministry of Interior's Anti-Human Trafficking Division monitors and investigates human trafficking cases and then refers them to the Public Prosecutor's Office. In addition, an anti-human trafficking unit was established to enforce the Law on Combating Human Trafficking.

Monitoring is based on information received by the Ministry of Interior's Anti-Human Trafficking Division and cases that reach the Human Trafficking Victims Evaluation Committee. Monitoring procedures include the following:

- Receipt of lists of cases from the Public Prosecutor's Office, Ministry of Interior, Ministry of Justice (competent court), Dar al-Iman shelter and associations and institutions active in the field, including the Migrant Workers Protection Society;
- Coordination with the Ministry of Interior's Anti-Human Trafficking Division to study the case;

- Assignment of a psychosocial specialist from Dar al-Iman shelter, the psychological guidance offices, and the Child Protection Centre to evaluate and study trafficking cases to ensure that victims receive all their social and material rights;
- The Committee summons the victim or her legal representative to hear her statements;
- Reports on victims taken in by Dar al-Iman shelter and the measures taken regarding their cases are submitted and forwarded to the Ministry of Interior, Public Prosecutor's Office, Court of Cassation in the Ministry of Justice, and the National Committee to Combat Human Trafficking.
- Regarding victims that must remain in the country, recommendations are submitted to the Ministry of Interior to settle their legal status so that they can remain in the country;
- Coordination through the representative of the Labour Market Regulatory Authority on the Committee to eliminate impediments to the victim's obtainment of work if the victim so desires;
- Coordination with the Ministry of Interior to facilitate procedures for the victim's return to his/her country of origin or any other country for which the victim has a residency permit;
- Coordination with the National Committee to Combat Human Trafficking regarding judgements issued in cases of human trafficking.

The Committee has prepared and printed many awareness-raising brochures on its objectives, procedures and authorities. These brochures will be published in all languages spoken by the target groups to familiarize as many people as possible with the Committee and its role in protecting foreign workers from falling into the trap of human trafficking.

The Ministry of Labour has taken key steps regarding human trafficking by intensifying supervision of employment companies and conducting periodic inspections. In addition, effective mechanisms have been established for submitting complaints against employment companies and withdrawing or not renewing the licences of companies in violation. The Committee also holds periodic meetings with members of the Association of Foreign Worker Recruitment Bureaus to discuss and address the problems of these bureaus and workers.

Governmental and non-governmental entities in Bahrain that are concerned with this issue have organized training programmes, workshops and symposia to raise awareness about the dimensions of the crime of human trafficking. They have done so in coordination with relevant international organizations. One such workshop, organized by the Ministry of Foreign Affairs and the International Organization for Migration was entitled "Building National Capacities to Control and Conduct Criminal Investigations of Human Trafficking Offences".

Political participation and decision-making

Question 14. "In the report, several awareness-raising initiatives by the State party to promote the participation of women in public life are mentioned (para. 107).

Please indicate the impact these initiatives have had and the measures the State party has taken to address women's alleged unwillingness to apply for leadership positions in civil society organizations (para. 110). Please indicate how many cases involving allegations of threats, harassment, intimidation, attacks or murder of women in public life have been investigated and prosecuted. Please also provide information on the measures taken to provide protection to women in public life."

Adherence to the principle of equality between men and women is inseparable from respect for human rights in the integrated political, economic, social and cultural sense of human rights. Such adherence is firmly rooted in the National Action Charter, Bahraini Constitution, the progress of Bahraini women in education since 1928, the reforms initiated by his Highness the King in 1999, and in the Government's policies and programmes. The following measures have been taken:

- The enactment and amendment of legislation and laws that ensure justice and fairness for women, including the Private Sector Labour Law, implementation of the Housing Law, the Social Security Law, the Family Law (Part 1) Promulgated by Legislative Decree No. 19 of 2009;
- The inclusion of practical steps in national strategies for the advancement of women, as the Supreme Council for Women did, for example, by establishing a Woman's Support Centre that provides guidance and counselling services, implementing ongoing awareness-raising and legal education programmes, providing free legal advice services, eliminating the gap between legal provisions and enforcement (including the use of mechanisms to monitor discrimination), enabling women who have been harmed to file complaints through legal and social aid, and other remedies;
- Intensification of cooperation between official agencies and women's civil organizations to raise women's awareness of their legal rights, particularly in bringing actions in domestic cases. The Supreme Council for Women has undertaken a number of activities, including holding symposia and workshops on the theory of the law and the practical application of judicial protection of the rights of women. In this regard, a woman's guide to litigation proceedings before the sharia courts was published, and the council held a course to train female trainers in the use of the guide. The Council also implemented a number of awareness-raising workshops and training courses in the framework of a legal education and training programme undertaken in cooperation with the University of Bahrain;
- Decree No. 18 of 2010 was issued to establish the Prize of Her Royal Highness Princess Sabikah Bint Ibrahim Al Khalifah to Empower Women in Professional and Political Associations. This prize is granted every four years to the best political association and to the best professional association that works to advance the role of women in political and professional civil society organizations. It is intended to encourage and catalyse institutions to integrate women more intensively, appoint women to leadership positions and not discriminate against them. It seeks to achieve these goals through: increased participation by women in political and professional associations; the building of women's leadership, political and professional capacities; the deepening of women's expertise in professional and political work; and the raising of Bahraini society's awareness of women's role, rights and duties.

- Emphasis of the principle of equality. Bahraini law guarantees equality between men and women before the law and in respect to legal competence, including a woman's right to conclude contracts and manage her funds and property. Women and men are treated equally before the courts. A woman may bring an action and file a complaint in her own personal name. Women benefit, equally with men, from all legal services, including legal assistance if they are unable to bear the expenses of a legal action and attorney fees.
- Importance is attached to the existence of a clear vision and strategic plans for achieving gender equality through the adoption of legislative and non-legislative measures and ongoing cooperation with civil society, which is what the Supreme Council for Women in Bahrain is working to achieve.
- Regarding the inquiry concerning how many cases involving allegations of threats, harassment, intimidation, attacks or murder of women in public life have been investigated and prosecuted, a distinction should be made between what is published in the social media and actual reports filed with the investigation agencies. The report of the Bahrain Independent Commission of Inquiry establishes that such allegations, particularly with respect to women, are unfounded, and that the events in Bahrain in 2011 that disrupted public life affected the entire country, including all citizens, both men and women. As soon as those events ended, public life returned to normal, with women in Bahrain living their lives in complete freedom in the absence of threats, harassment or intimidation by any party.
- The door is open to women to participate in public life equally with men, as reflected in political representation in the legislature. There are many examples, including the election of four women to the Council of Representatives and one woman to the Municipal Council in free, direct elections. The reluctance of many women to participate in political life is based on their own discretion. No complaints have been filed concerning threats against any young person or woman who stands for elections.

Nationality

Question 15. "Please provide information on the status of the amendment of the Nationality Law which allows Bahraini women to pass on their nationality to their non-Bahraini children and spouses (paras. 82 and 119; CEDAW/C/BHR/CO/2, para. 30). Please provide information on the legal reasons by which the nationality of a Bahraini can be revoked, as well as updated sex-disaggregated data on the number of Bahrainis whose nationality has been revoked."

The Bahraini Government is currently studying a draft law that grants Bahraini nationality to the children of a Bahraini woman married to a foreigner. A number of members of the Council of Representatives have also submitted a bill for examination by the Council of Representatives to grant Bahraini citizenship to the children of a Bahraini woman married to a foreigner. The Government has taken measures to benefit such children, including the preparation of a draft law to amend article 3 of Law No. 18 of 2006 on Social Security based on a proposal submitted by the Supreme Council for Women. This draft, which is currently being examined by the legislative authority, aims to introduce an allowance for the children of a Bahraini mother married to a foreigner and to include the mother among social security beneficiaries.

Regarding the legal reasons and procedures for revoking Bahraini nationality, article 17 (a) of Bahrain's Constitution stipulates, "Bahraini nationality shall be determined by law. A person inherently enjoying his Bahraini nationality cannot be stripped of his nationality except in case of grand treason and in other cases prescribed by law." The Bahraini Nationality Law also provides for the withdrawal of Bahraini nationality from naturalized persons, as follows:

> "Bahraini nationality may be withdrawn from a naturalized person by order of His Highness the Ruler in the following two cases:
>
> "1. If the person obtained Bahraini nationality through fraud, or based on false statements, or through the concealment of substantive information. In this case, Bahraini nationality may be withdrawn from any naturalized person who obtained it under article 6 (4) of this law.
>
> "2. If the person was convicted in Bahrain within 10 years of being naturalized of an offence involving breach of honour or breach of trust. In this case, Bahraini nationality shall be withdrawn only from the convicted person."
>
> Abrogation of Bahraini nationality
>
> "His Royal highness the Ruler may order the abrogation of the Bahraini nationality of any person who:
>
> "a. Enters and remains in the military service of another country despite the issuance of an order by the Bahraini Government to leave such service; or
>
> "b. Assists or is enlisted to serve a hostile country; or
>
> "c. Damages state security."

Education

Question 16. "Please provide information on efforts made to ensure the availability and accessibility of vocational training opportunities for boys and girls, on an equal basis (CEDAW/C/BHR/CO/2, para. 32). Please indicate any progress made on measures aiming to encourage women to undertake training and education in non-traditional fields. Please indicate measures taken to ensure access to education for children of migrant workers, in particular girls."

The Economic Development Council launched an initiative to develop the technical and vocational education system in Bahrain together with other initiatives to develop education and training in 2007. It did so based on the results of a study which it conducted with the Ministry of Education which examined enhancement of the skills of young Bahrainis, both male and female, through the application of an educational and training system prepared and implemented jointly with the labour market to ensure students' mastery of basic vocational competencies sought by the labour market and to provide an opportunity for young people of both sexes to gain admission to technical and vocational education programmes. Ten schools apply this system, including four industrial schools for boys, two commercial schools for boys, and four commercial schools for girls.

Regarding equal opportunity for vocational training for boys and girls in non-traditional fields, training programmes were conducted in non-traditional specialties, e.g., computer technology, computer-aided drawing, electronics and the use of electrical

devices. Industrial education for girls was launched in 2010 in the Ma'rifah School with the establishment of a technical track for computer hardware. The number of female students in non-traditional vocational specialties in the Ma'rifah School rose in academic year 2013/14 to 24 second-year students and 17 third-year students. The number of such female students in the Wafa' School totals 14 first-year students and 17 second-year students. Male and female students who are children of foreign workers benefit from this type of education and training.

Education in Bahrain is compulsory. Children of school age are enrolled in public or private schools. The Ministry of Education provides free education to all Bahraini and non-Bahraini students who enter the public schools at the three educational levels (primary, intermediate and secondary) for the 6-18 age groups without gender discrimination. It furnishes students with textbooks at the start of each academic year at no cost. There are special institutions for the education of persons with special needs. These institutions are provided all services required by their students.

Private schools in Bahrain are as diverse as their educational methods and the entities overseeing their advisory boards. There are three types:

- National private schools established and run by Bahraini citizens or in collaboration with non-Bahrainis for educational purposes. They provide kindergarten, primary, intermediate, secondary and higher education and offer bilingual programmes, with subjects being taught in Arabic and English;
- Foreign private schools established, run and financed by a foreign establishment, expatriate community, or foreign institution in Bahrain for the purpose of educating children of foreign expatriate communities. They provide kindergarten, primary, intermediate, secondary and higher education. The language of instruction is generally English, French or Urdu;
- Schools of expatriate communities established and financed by foreign communities in Bahrain solely for the purpose of educating their children.

Employment

Question 17. "Please provide information on concrete policies designed to ensure that men and women enjoy equal rights in employment (para. 94). Please also indicate measures in place to ensure that women are protected against sexual harassment in the workplace. What has been the impact of programmes to increase the economic participation of women implemented by the Supreme Council for Women?"

Private Sector Labour Law No. 36 of 2012 includes many newly introduced benefits and rights that protect and benefit working women, are in line with international labour standards and take into account new developments in Bahrain's labour market. The most important of such benefits and rights include the following:

- Women may be employed to work during the day or night except in certain occupations at night, in line with international labour standards that prohibit discriminating between men and women in this regard. The previous law prohibited the employment of women to work at night except in certain occupations and jobs specified by ministerial decree.

- Paid maternity leave has been increased to 60 days, instead of 45 days under the previous law.
- A working woman may obtain unpaid leave to care for a child up to the age of six for up to six months three times during the duration of her employment. This leave, which was not provided under the previous law, is in line with international labour standards establish in this regard.
- Wage discrimination based on gender, origin, language, religion or creed is explicitly prohibited. This is a new provision, consistent with international labour standards, particularly Convention No. 111 concerning Discrimination in Respect of Employment and Occupation, 1958, which prohibits employment and occupation discrimination that was ratified by Bahrain in 2000.
- A new method for settling individual labour disputes is now provided. An agency formed in the Ministry of Labour settles individual labour disputes with the consent of the worker and employer before resort to the judiciary. If an amicable settlement is not possible, the worker and employer have the discretion to decide whether to resort to the judiciary. This provision is consistent with the right to litigate, which is guaranteed constitutionally. The previous law required the filing of a labour complaint with the Ministry of Labour before bringing a labour action before the court.
- The establishment of a labour action adjudication system, whereby labour actions are submitted to a judge, who attempts to reconcile the parties within two months. If reconciliation is not possible, the judge refers the action to the Greater Civil Court, which issues a judgement binding on both parties within one month of the referral. This system expedites decisions on labour actions and addresses the slowness of litigation in such actions.
- Protection of women from any form of harassment is guaranteed under the Penal Code issued under Decree Law No. 15 of 1976 and amendments thereto, articles 350 and 351 (the section concerning rape and assault against honour) (annex No. 8). The Bahraini Penal Code, criminalizes the commission of such acts regardless of where they occur, as long as there are grounds substantiating the offence in terms of the act, the harm, and the causal relationship between the act and the harm.
- Article 81 of Private Sector Labour Law No. 36 of 2012 stipulates that if a worker is charged with committing a felony or misdemeanour that violates honour, trust or public morals or commits a misdemeanour within the scope of his job, the employer may temporally suspend the worker from work until a decision on the worker is issued by the Public Prosecutor's Office. This provision protects women from being subjected to harassment after a complaint is filed. If a woman is subjected to sexual harassment of any form in the workplace, she may submit a report to the police department with jurisdiction in the matter. This makes it possible to adopt legal measures and refer a criminal action against the harasser to the court.

The Supreme Council for Women, in partnership with domestic and international development financing banks and organizations, has implemented a series of programmes and projects at the national level to empower women economically. In this context, it has sought to empower women to manage medium and small enterprises to ensure their economic independence and entry into entrepreneurship

and the private sector. It has also sought to launch initiatives to support the provision of soft financing. One such initiative, by way of example, is the Portfolio of Her Royal Highness Princess Sabikah bint Ibrahim Al Khalifah to Support Women's Commercial Activity. This Portfolio has benefited 267 women in the projects that have been implemented. Another influential development in this regard was the inauguration of the Reyadat Centre for the Development of Bahraini Women's Competencies. The Centre provides advisory and training services and economic incubators for female entrepreneurs (annex No. 9).

Women began engaging in commercial activity in 1961. As of end-2011, women held 12,358 active commercial registrations in the Commercial Register. The increased participation of women in the economy is reflected in the increase in the percentage of women in the labour force relative to the total Bahraini labour force from 25.8 per cent to 32 per cent during 2001-2013. This large increase reflects the positive outcomes of education and laws and legislation that have been enacted in Bahrain. It confirms the principle of gender equality in respect to rights and duties and in the holding of positions in the public and private sectors.

Question 18. "Please explain which body is responsible for overseeing compliance with labour legislation (including Ministerial Decree No. 21 (1994)) by employers of non-Bahraini workers, including domestic workers (para. 132). Clarify whether the draft private sector labour bill mentioned in the report includes provisions to safeguard the rights of all domestic and foreign workers. What institutional mechanisms exist to increase awareness within the private sector of the rights of domestic workers? Please provide information on the concrete steps taken by the State party to ensure that migrant workers, especially female domestic workers, are aware of their rights and have access to legal aid, such as translating laws and documents into English. What measures has the State party foreseen to enable migrant workers to exercise their right to legal recourse?"

The Labour Market Regulatory Authority is the official agency responsible for supervising compliance with labour legislation by employers of non-Bahraini workers, including domestic workers. Bahrain signed a number of memoranda of understanding with countries that send labour to Bahrain, including India, Sri Lanka and Nepal. These memoranda deal with the establishment of procedures in the sending country for the certification of employment bureaus and with legal measures for the protection of foreign workers in the receiving countries. The Ministry of Labour also cooperates with the embassies of the sending countries to resolve problems or complaints concerning foreign workers.

The entity responsible for supervising labour legislation is the Ministry of Labour according to the authorities granted under Labour Law No. 36 of 2012 (annex No. 10) and its implementing decrees. Ministerial Decree No. 21 of 1994 was issued under the previous labour law. It will remain in force until implementing decrees are issued according to the Labour Market Authority Law.

Based on the Council of Ministers' Authorization No. 2/1907 issued on 12 November 2006, the Ministry of Labour continues to grant work permits and licences for labour importation bureaus until the Labour Market Regulatory Authority assumes these functions.

Member States of the Cooperation Council for the Arab States of the Gulf are discussing, through their Council of Labour Ministers, a model uniform employment contract for domestic workers. The draft legal wording of the contract ensures the rights of the workers and the rights of the employer or head of household. The legislature is seeking to develop the contractual relationship between the two parties in line with labour laws and legislation.

In formulating the Private Sector Labour Law, Bahraini legislation makes no distinction between national and foreign workers based on gender, ethnicity, or race and grants workers the same rights.

The Ministry of Labour and the Labour Market Regulatory Authority supervise and control the activities of foreign labour importation and employment bureaus. They also examine complaints submitted by foreign labourers or employees against these bureaus, including charging foreign worker fees for employment services, negligence, employment contract fraud, or the type of occupations which foreign labourers apply to obtain in Bahrain.

The Labour Market Regulatory Authority possesses the legal authority to cancel the licence of a foreign labour and employment bureau if it is proven that the bureau violated the regulations and laws observed in this regard. It is also authorized to refer violators to the Public Prosecutor's Office and other judicial agencies. The Bahraini Government issued Decree No. 79 of 2009 on the freedom of foreign workers to transfer to another employer without obtaining the current employer's consent. This decree, which has won the praise of numerous Arab and international organizations and labour-exporting States, grants foreign workers additional protection from exploitation, mistreatment, or wages below those offered in the market for similar occupations. It also grants workers the freedom to choose their place of work, and provides for workers to transfer smoothly and legally to another employer, which protects them from being subjected to inappropriate or undesirable work conditions.

The Labour Relations Directorate in the Ministry of Labour is concerned with monitoring conditions of workers in the private sector to ensure full compliance with the Private Sector Labour Law. The Labour Arbitration and Complaints Section is responsible for settling individual disputes and ordering litigation in accordance with the Labour Law. It also provides legal advice to business owners and workers, engages in educational and awareness-raising activities, and provides information on the Labour Law and the rights and duties of workers and employers. The Labour Inspection Section is responsible for the periodic supervision of establishments to verify their compliance with the Labour Law. It also issues awareness-raising booklets and publications in various languages and translates laws and documents into the English language.

Laws covering the duties of foreign workers have been translated from Arabic into nine languages: English, Hindi, Bengali, Urdu, Filipino, Indonesian Thai, Sinhala and Turkish. More information may be obtained by visiting the website at www.lmra.bh.

The law covers workers and domestic workers and the like. Its provisions cover employment contracts, wages, the right to annual vacation, the right to severance pay and exemption from litigation fees.

The General Directorate of Nationality, Passports and Residence deports foreign workers based solely on judgements or orders issued by the judicial authority. The

directorate also ascertains whether foreign workers to be deported are owed any amounts or other entitlements by their employer. If this is found to be the case, the worker is given sufficient time to collect what is owed to him/her. The worker then signs an averment of receipt.

Question 19. "Please provide detailed information on the large-scale dismissals and suspensions of public sector employees, including many women, following the events of February and March 2011 and on the implementation of the recommendations of the Bahrain Independent Commission of Inquiry."

The law entitles any person dismissed from employment to bring an action before the judiciary to contest the dismissal and [claim] indemnification, unless the person was dismissed for legal reasons or unless the person committed and was convicted for an offence punishable by law.

In compliance with the royal order of His Highness the King and Prime Minister to implement the recommendations of Bahrain Independent Commission of Inquiry, all employees dismissed pursuant to disciplinary decisions against the background of the recent incidents have been reinstated. The Civil Service Council has commenced contacting all concerned government agencies to implement the decision by rehiring all employees starting on 1 January 2012 without prejudice to the monthly salary which they received before their employment was terminated through disciplinary dismissal. All civil service employees, including females, have been reinstated.

Table 1
Report of the Civil Service Council

	Cases of dismissal and suspension from work and the acquittal of all female employees of government agencies, all of whom have been reinstated	*Number*
1	Number of female employees acquitted and reinstated to government agencies	5
2	Number of dismissed female employees reinstated to government agencies	92
3	Number of female government employees suspended from work, docked pay as a disciplinary sanction and reinstated	779
	Total	**876**

Health

Question 20. "Please provide information about the number of women using family planning services, including modern contraceptives, and clarify whether decisions about birth control can be taken by a woman without the consent of her husband. Please indicate how the State party is monitoring the effective implementation of the policy stating that women can consent to a caesarean section and relevant medical treatment without the authorization of any other person, including that of their husband (para. 135)."

The Ministry of Health provides, through specialized clinics in all health centres, ongoing health guidance and awareness-raising programmes, reproductive health programmes, and programmes concerning family planning, in accordance with the appropriate means selected by the woman in collaboration with her husband. Clinical examination is performed in the primary health-care clinics. The

Motherhood and Childhood Services Section provides follow-up. Guidance manuals and booklets are available to provide information on this service and to explain types and methods of family planning. In 2012, 3,307 women benefited from government services that provided contraceptives.

A woman does not require her husband's consent in order to be prescribed any type of contraception. Various means of family planning are discussed with the woman. All health services and care are provided to women based on their request. The provision of care and services is not contingent on the husband's permission, especially as the social reality is that both the husband and wife participate jointly in family planning.

Current procedures do not require a husband's consent for a caesarean section. Under the law, a woman whose health condition renders her competent to make a decision may personally make that decision. During the past two years, no caesarean section has been precluded due to a husband's objection. Generally, the medical team educates the couple on the importance of performing a caesarean section, should it become medically necessary.

Marriage and family relations

Question 21. "Please provide information on measures taken by the State party to adopt a unified family code that provides women with equal rights relating to marriage and family relations, in line with the Convention and as recommended by the Committee (CEDAW/C/BHR/CO/2, para. 39). Please indicate the steps that have been taken to raise the minimum age of marriage for girls from 15 to 18 years. Please also indicate any measures being taken to address significant legal, financial and societal hurdles that women face compared to men if they want to obtain a divorce (CEDAW/C/BHR/CO/2, para. 41)."

The Family Law (Part 1), which concerns the Sunni sect, was promulgated under Law No. 19 of 2009. The Supreme Council for Women has prepared a study on the effect of the application of the Family Law (Part 1). The study aims to:

- Ascertain in a detailed manner the effects of the law on Bahraini society and whether the provisions of the law are suited to the regulation of the various relationships among family members and whether the provisions strengthen family cohesion and prevent the collapse and fragmentation of the family;
- Highlight the urgent need to promulgate part 2 of the law, which concerns the Jafari sect, to complete the legal system for preserving Bahraini family members' rights and family cohesion and thus entrench the principles of Bahrain's Constitution, which affirm the value of the family as the foundation of society.
- Part 2 of the law, which concerns the Jafari sect, has not been promulgated, because it has not been approved by a number of members of the Council of Representatives. The concerned bloc has moved to withdraw the draft from Parliament. The Government is currently seeking to prepare society to accept Part 2 by raising awareness of the importance of promulgating the law. A number of members of the Council of Representatives have submitted a bill to promulgate the Family Law (Part 2) for the Jafari sect. The bill has yet to be presented for discussion.

Measures to adopt a uniform family code

- Promulgation of the Family Law (Part 1), which is available to any Bahraini family;
- Amendment of the marriage contract document;
- Regulation of the activity of officials authorized to perform marriages according to administrative regulations, particularly refrainment from relying on undocumented marriage contracts and verification of the consent of the woman or her guardian to the conclusion of the marriage contract.

Measures to raise the minimum age for marriage of girls

- The Family Law (Part 1), article 18, stipulates that "marriage of a minor female below the age of 16 shall be with the consent of the sharia court after the appropriateness of the marriage is ascertained". Hence, the judiciary is required to supervise and authorize the marrying of minor females. There are in fact virtually no cases of the marriage of minor females owing to the educational level in Bahraini society.
- The Family Law (Part 1), article 35 (d), also requires that a judge determine the appropriateness of the age of the two parties before permitting them to marry, as follows: "Proportionality between the ages of the members of the couple is deemed a right of the female alone".

Measures to reduce legal and financial hurdles to women wishing to obtain a divorce

- The fee for bringing a legal action is nominal (4 dinars, which is equivalent to 11 American dollars). In many cases, women unable to pay the fee are exempted from paying it upon their request.
- The Ministry of Justice or Supreme Council for Women provide legal assistance to needy women in legal actions and claims arising from or related to legal actions.